

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

November 19, 2014
6:00 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Fogle, Franco, Schrader, and Genewick.

INVOCATION

MAYOR'S UPDATE

RECESS

Recess for public input.

111914.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of November 5, 2014 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a proposed Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

The Mayor asked the City Clerk if any petitions or communications relative to said Local Law have been received.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

11/17/14 Tracy Farrell, 55 Lakeview Parkway, Lockport, NY – appointed as a Commissioner of Deeds. Said term to expire December 31, 2015.
Received and filed.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

11/10/14 Major Jose Santiago, Commanding Officer, Lockport NY Corps, Salvation Army, 50 Cottage Street, Lockport, NY – request permission to use the Youth Center at Altro Park to store, pack and distribute goods for their Christmas Assistance Program.
Referred to the Committee of the Whole

11/17/14 Mayor Anne E. McCaffrey – recommendation to re-appoint Debra R. Allport to the Assessment Review Board.
Referred to the Committee of the Whole.

MOTIONS & RESOLUTIONS

111914.2

By Alderman Genewick:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on November 21, 2014 as follows:

| | | |
|--------------|---------------------|---------------|
| General Fund | Account #001 | \$ 165,640.56 |
| Water Fund | Account #002 | \$ 36,052.83 |
| Sewer Fund | Account #003 | \$ 38,073.06 |
| Refuse Fund | Account #012 | \$ 286,576.68 |
| Payroll | Pay Date 11/13/2014 | \$ 455,591.40 |

Seconded by Alderman Kibler and adopted. Ayes 6.

111914.3

By Alderman Schrader:

Resolved, that a public hearing be held at the Common Council Meeting of December 3, 2014 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to a request for a Special Use Permit made by Twin City Ambulance, for approval for an Ambulance Service Garage to be located at 205 Washburn Street, situated in an R-3 Zone, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Franco and adopted. Ayes 6.

111914.4

By Alderman Genewick:

Resolved that the following Local Law be and the same is hereby adopted:

City of Lockport

Local Law No. 3 of the year 2014

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Be it enacted by the Common Council of the City of Lockport as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the City of Lockport to adopt a budget for the fiscal year commencing January 1, 2015 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Common Council of the City of Lockport, County of Niagara, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

Seconded by Alderman Schrader. A roll call vote was taken which resulted as follows:

| | | |
|-------------------|--------|-----|
| Alderman Fogle | VOTING | YES |
| Alderman Franco | VOTING | YES |
| Alderman Genewick | VOTING | YES |
| Alderman Kibler | VOTING | YES |
| Alderman Lombardi | VOTING | YES |
| Alderman Schrader | VOTING | YES |

The Local Law was thereupon declared duly adopted.

111914.5 WITHDRAWN (Adopt 2015 Water Fund Budget)

111914.6 WITHDRAWN (Adopt 2015 Sewer Fund Budget)

111914.7

By Alderman Genewick:

Resolved, that the City tax budget for fiscal year 2015, containing appropriations for operating City departments, be and the same is hereby adopted as follows:

CITY OF LOCKPORT, NEW YORK
2015 GENERAL FUND BUDGET SUMMARY

Budget Appropriations:

| | |
|-------------------|------------------|
| Personal Services | \$ 10,280,506.00 |
| Equipment | 134,340.00 |
| Contractual | 1,642,995.00 |
| Fringe Benefits | 8,632,567.00 |
| Undistributed | 932,850.00 |
| Debt Service | 1,055,224.00 |

Total Appropriations: \$ 22,678,482.00

LESS: Estimated Revenues: 22,678,482.00

Estimated Fund Balance: 0

Amount to be raised through property taxation: \$ 11,711,271.00

Assessed Valuation: \$ 704,494,966.00

REAL PROPERTY TAX RATE: \$ 16.62 per \$1,000 ASSESSED VALUATION

Seconded by Alderman Lombardi and adopted. Ayes 6.

111914.8 WITHDRAWN (Adopt 2015 Special Revenue Fund – Refuse & Recycling Budget)

111914.9 WITHDRAWN (Delinquent Water/Sewer Bill Re-Levy)

111914.10

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of William Norman Diel, a retired City of Lockport Building Maintenance employee who recently passed away.

Seconded by Alderman Lombardi and adopted. Ayes 6.

111914.11

By Alderman Schrader:

Resolved, that pursuant to their request, The Salvation Army is hereby granted permission to use the Youth Center at Altro Park for storage and distribution of items for their Christmas Assistance Program. Said permission is subject to the Salvation Army filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Fogle and adopted. Ayes 6.

111914.11A

By Alderman Kibler:

Resolved, that pursuant to the recommendation of Mayor Anne E. McCaffrey, Debra R. Allport, 161 Lincoln Avenue, Lockport, NY is hereby re-appointed as a member of the City of Lockport Board of Assessment Review. Said term to be effective October 1, 2014, and expires on September 30, 2019.

Seconded by Alderman Franco and adopted. Ayes 6.

111914.11B

By Alderman Kibler:

Resolved, that the Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to amending the Refuse and Recycling Code, and be it further

Resolved, that a public hearing be held at the Common Council meeting of December 3, 2014, starting at approximately 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Genewick and adopted. Ayes 6.

111914.11C

By Alderman Kibler:

Whereas, the City of Lockport Police Department has received a donation from an individual who wishes to remain anonymous for the purchase of a K-9 Dog, now therefore be it

Resolved, that the City Treasurer is hereby authorized and directed to amend the 2014 budget as follows:

Increase:

| | | |
|----------------|---------------------|------------|
| 001-0001- 2705 | Gifts and Donations | \$5,220.00 |
|----------------|---------------------|------------|

| | | |
|---------------|--|------------|
| 001-3120-4565 | | \$5,220.00 |
|---------------|--|------------|

Seconded by Alderman Franco and adopted. Ayes 6.

111914.11D

By Alderman Genewick:

Resolved, that a public hearing be held at Special Common Council Meeting on Wednesday, November 26, 2014 starting at 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to the 2015 Water Fund, Sewer Fund, and Refuse & Recycling Fund Budgets, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Schrader and adopted. Ayes 6.

111914.11E

By Alderman Schrader:

Resolved, that the Corporation Counsel is hereby authorized and directed to prepare a Local Law relative to amending the delinquent water & sewer bill late penalties, and be it further

Resolved, that a public hearing be held at the Common Council meeting of December 3, 2014, starting at approximately 6:00 P.M. in the Common Council Chambers, Lockport Municipal Building, One Locks Plaza, Lockport, NY relative to said local law, and be it further

Resolved, that the City Clerk is hereby authorized and directed to advertise notice of said public hearing.

Seconded by Alderman Fogle and adopted. Ayes 6.

111914.12**ADJOURNMENT**

At 6:21 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, November 26, 2014.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk